

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, INC., a Delaware Corporation; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, Inc., a duly organized Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a duly organized Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation

Plaintiffs,

v.

VIDEOEGG, INC. d/b/a VIDEOEGG.COM, a Delaware corporation; HI5 NETWORKS, INC. d/b/a HI5.COM; BEBO, INC., d/b/a BEBO.COM, a Delaware Corporation, and DOES 1-10, inclusive

Defendants.

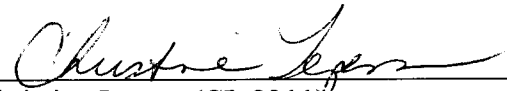
CASE NO. 08 CV 5831

NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE*

PLEASE TAKE NOTICE that upon the Declaration of Christine Lepera dated August 1, 2008, the accompanying Declaration of Marc Mayer dated July 24, 2008, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern District and Eastern Districts of New York, admitting Marc Mayer to the Bar of this Court *pro hac vice* to appear and participate as counsel for Plaintiffs in the above-captioned action.

Dated: New York, New York
August 1, 2008

MITCHELL SILBERBERG & KNUPP LLP

By: 
Christine Lepera (CL 9311)
12 East 49th Street
New York, New York 10017
Telephone: (917) 546-7703
Facsimile: (917) 546-7673

Attorneys for Plaintiffs

To: *Attorneys for Defendants*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, INC., a Delaware Corporation; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, Inc., a duly organized Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a duly organized Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation

Plaintiffs,

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VIDEOEGG, INC. d/b/a VIDEOEGG.COM, a Delaware corporation; HI5 NETWORKS, INC. d/b/a HI5.COM; BEBO, INC., d/b/a BEBO.COM, a Delaware Corporation, and DOES 1-10, inclusive

Defendants.

CASE NO. 08 CV 5831

DECLARATION OF CHRISTINE LEPERA
IN SUPPORT OF MOTION FOR
ADMISSION OF MARC MAYER
PRO HAC VICE

CHRISTINE LEPERA, declares under the penalties of perjury as follows:

1. I am a partner, through my professional corporation, of the law firm Mitchell Silberberg & Knupp LLP, counsel for Plaintiffs in the above-captioned action. I submit this declaration in support of the motion, pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Courts for Southern and Eastern Districts of New York, for an order granting Marc Mayer, Esq., admission to the Bar of this Court *pro hac vice* for the purpose of

allowing him to participate in the representation of Plaintiffs in the above-captioned matter, and to appear before this Court.

2. I am a member in good standing of the Bar of this Court.

3. I have reviewed the Declaration of Marc Mayer in support of the Motion for Admission *Pro Hac Vice* submitted herewith, and I believe that the Declaration is true and correct.

4. Mr. Mayer is a member of the law firm of Mitchell Silberberg & Knupp LLP, located at 11377 West Olympic Boulevard, Los Angeles, CA 90064. He is experienced and familiar with the matter which is pending before this Court.

5. No previous application has been made for the relief requested herein.

6. Accordingly, I respectfully request that Marc Mayer be admitted to the Bar of this Court *pro hac vice*.

7. Pursuant to 28 U.S.C. § 1746 , I declare, under penalty of perjury under the laws of the United States, that the foregoing statements are true and correct.

Executed on August 4, 2008


CHRISTINE LEPERA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, INC., a Delaware Corporation; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, Inc., a duly organized Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a duly organized Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation

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VIDEOEGG, INC. d/b/a VIDEOEGG.COM, a Delaware corporation; HI5 NETWORKS, INC. d/b/a HI5.COM; BEBO, INC., d/b/a BEBO.COM, a Delaware Corporation, and DOES 1-10, inclusive

Defendants.

CASE NO. 08 CV 5831

DECLARATION OF MARC MAYER
IN SUPPORT OF MOTION FOR
ADMISSION *PRO HAC VICE*

MARC MAYER, applicant herein for admission *pro hac vice*, declares under the penalties of perjury as follows:

1. I am a member of the law firm Mitchell Silberberg & Knupp LLP, 11377 West Olympic Boulevard, Los Angeles, CA 90064.
2. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of

New York, for an Order granting Marc Mayer admission *pro hac vice* to the Bar of the United States District Court for the Southern District of New York to appear and participate as counsel for Plaintiffs in the above-captioned action.


3. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of California. I am also a member in good standing of the Bars for the United States District Courts for the Central and Northern Districts of California.

4. There are no pending disciplinary proceedings against me in any State or Federal Court.

WHEREFORE, your applicant respectfully requests to be admitted to practice before this Court *pro hac vice* in the above-captioned matter on behalf of Plaintiffs.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 24, 2008



MARC MAYER



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

July 22, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MARC ELLIS MAYER, #190969 was admitted to the practice of law in this state by the Supreme Court of California on December 2, 1997; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over the printed name.

Kath Lambert
Custodian of Membership Records

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, a Delaware limited liability company; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

Plaintiffs,

vs.

VIDEOEGG INC., d/b/a VIDEOEGG.COM, a Delaware Corporation; HI5 NETWORKS, INC., d/b/a HI5.COM, a California Corporation; and DOES 1-10, inclusive,

Defendants.

08-Civ-05831 (HB) (DCF)

ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION

Upon the motion of Christine T. Lepera, attorney for Plaintiffs in the above-captioned action, and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

Marc Mayer, Esq.
Mitchell Silberberg & Knupp LLP
11377 W. Olympic Blvd.
Los Angeles, CA 90064
Tel: 310-312-3154
Fax: 310-231-8354
Email: mem@msk.com

is admitted to practice pro hac vice as counsel for the Plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: August ____, 2008
New York, New York

Honorable Harold Baer
United States District Court Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

08-Civ-05831 (HB) (DCF)

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I, Jeffrey M. Movit, hereby certify that on March 13, 2008, a true and correct copy of:

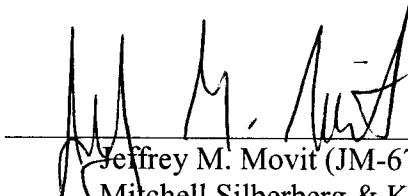
- NOTICE OF MOTION TO ADMIT COUNSEL MARC MAYER *PRO HAC VICE*
- DECLARATION OF CHRISTINE LEPERA IN SUPPORT OF MOTION FOR ADMISSION OF MARC MAYER *PRO HAC VICE*
- DECLARATION OF MARC MAYER IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE*
- PROPOSED ORDER FOR ADMISSION *PRO HAC VICE* ON WRITTEN MOTION

was served by Facsimile and US Mail upon:

<p>Janet L. Cullum COOLEY GODWARD KRONISH LLP 1114 Avenue of the Americas New York, NY 10036 Tel: (212) 479-6000 Fax: (212) 479-6275</p> <p><i>Attorneys for Defendant hi5 Networks, Inc.</i></p>	<p>Lisa T. Simpson Orrick, Herrington & Sutcliffe LLP 666 Fifth Avenue New York, NY 10103 Tel: (212) 506-3767 Fax: (212) 506-5151</p> <p><i>Attorneys for VideoEgg, Inc.</i></p>
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DATED: August 4, 2008
New York, New York

By:


Jeffrey M. Movit (JM-6725)
Mitchell Silberberg & Knupp LLP
12 E. 49th Street
New York, NY 10017
Tel: 917-546-7712
Fax: 917-546-7678